

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA

DIORIS SUERO,	:	
Plaintiff,	:	No. 5:13-cv-7181
v.	:	
	:	
ANDREW THOMAS WATKINS,	:	
BRYANT SEMENZA,	:	
GEORGE VOLPE, NIK HANNEVIG,	:	
JOHN DOES 1 through 10,	:	
and UNITED STATES OF AMERICA,	:	
Defendants.	:	

ORDER

AND NOW, this 12th day of February, 2016, for the reasons set forth in the Memorandum issued this date, **IT IS HEREBY ORDERED THAT:**

1. The Motion of the Federal Defendants to Dismiss and/or for Summary Judgment, ECF No. 52, is **GRANTED in part** as follows:

A. Defendants Hannevig and Semenza are **DISMISSED** for their lack of personal involvement. Plaintiff may file an amended complaint regarding these Defendants **on or before February 29, 2016**.

B. The motion for summary judgment on the basis of qualified immunity is **DENIED without prejudice**.

C. Plaintiff's tort claims in count two are **DISMISSED with prejudice** as to Defendants Watkins and Volpe and the United States of America is **SUBSTITUTED** as Defendant in their places.

D. The motion for summary judgment as to Plaintiff's tort claims for assault and battery, false arrest, and false imprisonment is **DENIED without prejudice**.

E. The motion to dismiss Plaintiff's tort claim for IIED is **GRANTED** and this claim is **DISMISSED with prejudice** from count two.

2. Defendants' Motion to Stay Discovery, ECF No. 53, is **GRANTED in part** as follows:

A. Written discovery as to the qualified immunity defense **shall be completed on or before March 14, 2016.**

B. The deposition of Plaintiff and of Defendant Volpe **shall be completed on or before March 14, 2016.**

C. All other discovery in this case is **STAYED** pending the resolution of any renewed motion for summary judgment on the basis of qualified or absolute immunity.

3. Defendants may file a renewed motion for summary judgment on the basis of qualified or absolute immunity **on or before March 28, 2016.**

BY THE COURT:

/s/ Joseph F. Leeson, Jr.
JOSEPH F. LEESON, JR.
United States District Judge